

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JESSE O. JOHNSON, JR.,	:	CIVIL ACTION NO. 1:08-CV-2186
	:	
Petitioner	:	
	:	(Judge Conner)
v.	:	
	:	
FRANKLIN J. TENNIS, et al.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 25th day of June, 2009, upon consideration of *pro se* petitioner's correspondence (Doc. 46) regarding alleged governmental obstruction of access to the courts, wherein petitioner avers that on June 10, 2009, he "placed motions in the prison legal mail box to be processed certified mail," but that "all three envelopes were returned because petitioner attempted to mail them using the incorrect envelopes," (see id. at 4), and it appearing that petitioner is allotted ten "free postage envelopes" per month, (see id. at 3-4), but that the above-described mailings were returned when petitioner "attempted to use free postage envelopes after [he] had [exhausted his] 10 free mailings," (id. at 4), and it further appearing that petitioner states that he has no money in his prison account, yet concedes that he receives "nominal amounts of money every month from outside sources," (id. at 1), and therefore does not qualify for indigent status, (see id.), and it further appearing that petitioner requests that the court stay the above-captioned matter and grant him a hearing in which to address this issue, (see id.), and the court recognizing that prison officials do not deny an inmate access to the courts when

they reasonably accommodate his or her use of the mails, see Salkeld v. Tennis, No. 3:05-CV-0225, 2006 WL 2794222, at *3 (M.D. Pa. Sept. 27, 2006) (finding that a non-indigent inmate was not denied access to the courts when he was allotted ten free mailings per month), and that such reasonable accommodation is apparent on the face of petitioner's correspondence, it is hereby ORDERED that petitioner's correspondence (Doc. 46) regarding alleged governmental obstruction of access to the courts is CONSTRUED as a motion to temporarily stay the above-captioned proceedings and conduct a hearing thereon, and is DENIED as so construed.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge